IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Writ Petition No. 757 of 2006 (M/B)

Sunita W/o Mempal,
R/o Village Tikampur, P.S. Laksar,
District Haridwar. ……. Petitioner

Versus

1. State of Uttaranchal,
2. Station House Officer,
   Police Station Laksar,
   District Haridwar.
3. SSP, Haridwar.
4. Sri Avnish Kumar S/o Sri Mirakpal Singh,
   House No. 77/II BHEL,
   Haridwar. ……. Respondents

Sri Lalit Tewari, Advocate on behalf of Sri Dharmesh Kumar, Advocate for the petitioner.
Sri D.K. Sharma, Government Advocate for respondents 1 to 3.

JUDGMENT

Coram: Hon'ble Rajeev Gupta, C.J.
Hon'ble Prafulla C. Pant, J.

RAJEEV GUPTA, C.J. (Oral)

Sri Lalit Tewari, Advocate on behalf of Sri Dharmesh Kumar, Advocate for the petitioner.

Sri D.K. Sharma, Government Advocate for respondents 1, 2 and 3.

None for respondent no. 4.

They are heard on admission.

2. Petitioner Sunita is seeking quashing of the First Information Report and the case registered against her at Crime No. 111 of 2006 at Police Station Laksar, district Haridwar for the alleged commission of the offences punishable under various sections of the Indian Penal Code including 302.

3. Petitioner Sunita and her other co-accused persons are alleged to have committed murder of one Mirakpal Singh, father of respondent no. 4 Sri Avnish Kumar. In the first Information Report

lodged on the date of incident i.e. 16.06.2006 itself, petitioner Sunita has been categorically named as one of the assailants.

4. On due consideration of the submissions of the learned counsel for the parties and the contents of the First Information Report, we do not find any ground warranting quashing of the First Information Report and the case registered against the petitioner Sunita.

5. The petition, therefore, is liable to be dismissed.

6. However, we deem it proper to direct that in the event of arrest of petitioner Sunita by the police or her surrender before the concerning Court, her bail petition shall be taken up for hearing in accordance with law without any undue delay.

7. With the above observation, the writ petition stands disposed of.

8. With the above order, CLMA No. 7937 of 2006 also stands disposed of.

(Prafulla C. Pant, J.) 28.06.2006

(Rajeev Gupta, C.J.) 28.06.2006

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